

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY
OF CLEVELAND, *on behalf of Cleveland
County and all others similarly situated,*

Plaintiff,

-against-

MERSCORP, INC., *et al.*,

Defendants.

Case No. CIV-12-00569-F

PLAINTIFF'S MOTION TO REMAND

Plaintiff, Cleveland County, in the name of Board of County Commissioners of the County of Cleveland, on behalf of itself and all other Oklahoma counties, respectfully submits its Motion to Remand and Brief in Support, pursuant to 28 U.S.C. § 1447, following a Notice of Removal that was filed on May 18, 2012 and joined by seven of the twelve named Defendants: MERSCORP, Inc. (n/k/a MERSCORP Holdings, Inc.), Mortgage Electronic Registration Systems, Inc. ("MERS"), Bank of America, National Association ("BANA"), JPMorgan Chase Bank, N.A. (mistakenly identified as Chase Home Mortgage Corporation f/k/a Chase Home Finance), SunTrust Mortgage, Inc., Wells Fargo Bank, N.A., U.S. Bank National Association (ECF No. 1).¹

¹ The remaining five defendants are: SpiritBank, BOKF d/b/a Bank of Oklahoma (mistakenly identified as Bank of Oklahoma N.A.), CitiMortgage, Inc., on behalf of itself, and CitiMortgage, Inc. s/b/m/t Principal Residential Mortgage Inc.

WHEREFORE this Motion to Remand and Brief in Support is timely filed within the period stipulated to by the parties (ECF No. 7), and set forth in the Order granted by this Court on June 4, 2012 (ECF No. 14).²

WHEREFORE Plaintiff Board of County Commissioners of the County of Cleveland and moves, pursuant to 28 U.S.C. 1447, for entry of an order remanding this action to the District Court of Cleveland County. As further set for in the accompanying memorandum filed herewith, this Court lacks subject matter jurisdiction because there is a lack of complete diversity of citizenship of the parties.

WHEREFORE, Plaintiff respectfully requests that the Court enter an order remanding this action.

Named in the original petition, GMAC Mortgage LLC (mistakenly identified as GMAC Residential Funding Corporation) recently filed for bankruptcy and is, therefore, not required to consent to removal.

² See Order Regarding Stipulation Regarding Extension of Time to File Response to Complaint and Briefing Scheduling for Plaintiff's Remand Motion at 2, n.1.

Dated: June 20, 2012
New York, New York

/s/ Christian Siebott

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